

Request for Letter of Interest

(Electronic Submittal Required)

Traffic Signal Engineer Support Services

for

Project No. 8374XDL1147
Traffic and Safety Division / Statewide

August 1, 2013

UTAH DEPARTMENT OF TRANSPORTATION
Request for Letter of Interest
8374XDL1147 & Traffic Signal Engineer Support Staff

SUMMARY SHEET

Please direct all questions regarding Utah Department of Transportation's (UDOT) Request for Letter of Interest (RLOI) and the selection process to the Contract Administrator and all questions concerning the project to the Project Manager contact.

1. Project Number: 8374XDL1147
2. Location: Statewide
3. ePM PIN No.: 11932
4. Requested Services: Traffic Signal Engineer Support Staff
5. UDOT Project Administrator: Raeleen Sanchez
Contract Administrator
Utah Department of Transportation
Consultant Services
Box 148490
4501 South 2700 West
Salt Lake City, Utah 84129-5998
801/965-4183
raeleen@utah.gov
6. UDOT Project Management: Larry Montoya
Project Manager
Utah Department of Transportation
Traffic and Safety Division
4501 South 2700 West
Taylorsville, Utah
801/965-4924
lmontoya@utah.gov
7. Letter of Interest (LOI) Due Date: **See the Selection Schedule on Page 3**

Submit one electronic PDF file of the LOI (unless directed otherwise in Appendix A *Guidelines for Preparing the Letter of Interest*) to Raeleen Sanchez by email at raeleen@utah.gov prior to 11:00 AM on the date found in the Selection Schedule on Page 3. **If LOIs are sent to RLOI Selection Team members the LOI will be considered non-responsive and will be disqualified.** You will receive an e-mail acknowledgment of receipt.

LOIs will not be accepted after the 11:00 a.m. deadline.

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The LOI has a maximum page-limit of **TWO** pages. If there are any changes affecting the RLOI, notice will be sent out via an e-mail through the Consultant Services update service.

8. **Qualification Based Selection:** This is a Qualifications Based Selection (QBS) process based on the Brooks Act. Cost is NOT a factor in the ranking of consultants to provide the services described in Appendix C *Scope of Work* on Page 17. Refer to Page 6 for additional information regarding the consultant selection process. The Brooks Act can be found on Page 20.
11. **Notice to Proceed:** To be issued by Consultant Services after contract execution. Direction to begin work from any other source is invalid and will result in non-payment for services provided without authorized notification to begin work.
12. **Project Completion Date:** Approximately **(60) sixty** months from Notice to Proceed. The Contract will be issued for 12 months, with up to four additional 12-month periods based on consultant performance, funding and need.
13. **Forms:** Examples of UDOT Consultant Services forms referred to throughout this RLOI are available on the UDOT Web site www.udot.utah.gov/go/csforms.

Consultant Selection Schedule

Date	Day	Action
Thursday	08/01/2013	Posting of the Request for Letter of Interest on UDOT Consultant Services Project Advertisement website and subscriber email
Thursday	08/08/2013	Letter of Interest is due electronically by 11:00 AM
Thursday	08/15/2013	Shortlist for Oral Interviews
Thursday	08/22/2013	UDOT Consultant Selection Interviews
Thursday	08/22/2013	Consultant Selection
Wednesday	08/28/2013	Mandatory Pre-Negotiation Meeting with Selected Consultant

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Appendix B: *Proposed Key Personnel to be Used on UDOT Project*

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Overview:

UDOT Consultant Services staff facilitates RLOI Selection Teams through the ranking and selection of consultants to provide engineering services for transportation related projects. Consultant selection is a Qualification-Based Selection (QBS) process, where the primary factor in selection is the qualification-based criteria outlined by the RLOI Selection Team in Appendix A *Guidelines for Preparing the Letter of Interest*, rather than the cost of engineering services. Cost is a secondary factor after a Consultant is selected and the negotiation process begins.

The RLOI Selection Team will review and evaluate submitted LOIs. Firms are shortlisted for interviews based on pre-determined criteria. Short-listed firms are invited to participate in interviews before the RLOI Selection Team. The final selection ranking of consultants is based on the final scores developed by the RLOI Selection Team using the *Interview Scores* spreadsheet and *Selecting by Consent* (see *Selecting by Consent* on Page 15).

UDOT follows federal regulations in selecting consultants for engineering services, based on the Brooks Act (40 U.S.C. 11) found on Page 20. Cost is **NOT** a factor in the selection ranking of a Consultant to provide services. All price/cost related items which include, but are not limited to direct salaries / wage rates, indirect cost rates, and other direct costs are prohibited from being used in LOIs. Cost control measures should not be quantified in dollar amounts, but rather in how the process improved the project.

DO NOT include any reference to Consultant costs in the LOI. Any LOI submitted with ANY discussion of cost (other than cost control measures) **WILL BE DISQUALIFIED**.

Project Dates:

Consultants are required to meet the dates set for the oral interviews and negotiation meetings. Consultants are also advised to meet other dates outlined in the Selection Schedule on Page 3. If a consultants fails to meet these dates, the consultant will be considered non-responsive.

Required Percentage of Work for Prime Consultant:

The Consultant must perform work valued at not less than **100%** of the total work, excluding specialized services, with its own staff. Specialized services are those services or items that are not usually furnished by a consultant performing the particular type of service contained in Appendix C *Scope of Work*.

Required Completion and Acceptance Criteria:

Progress payments will be made for work in progress. Final invoice payment, shall be made after all of the work has been completed and the final estimate, project records, and documentation have been received and accepted by UDOT as accurate and complete.

Applicable Federal and State Regulations:

The Consultant shall conform to all applicable state and federal regulations.

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Debarment Certification:

Federal regulations require certification by prospective participants (including contractors, subcontractors, and principals) as to current history regarding debarment, eligibility, indictments, convictions, or civil judgments. The selected Consultant will be required to certify in accordance with contract Standard Terms and Conditions.

Authorization to Begin Work:

Notice to proceed will be given by Consultant Services as soon as the contract is approved and signed by all parties and returned to Consultant Services.

Required Key Personnel Qualification:

The Consultant shall be responsible to ensure all personnel proposed under this RLOI are qualified through training, experience, and appropriate certification for the tasks assigned and shall have a working knowledge of UDOT standard practices.

The Consultant is expected to complete the form, Appendix B *Proposed Key Personnel to Be Used on UDOT Project*. Completed forms in LOIs should state the certification and education levels of the individuals proposed for use on this contract, including sub-consultants' personnel. **The completed form must be included with the LOI, but will not count as one of the allowed pages.**

UDOT's requirement for listing current or former UDOT employees as key personnel in LOIs is as follows:

- If a firm lists a former UDOT employee on the LOI who officially left UDOT employment prior to the date of submission date of the LOI, the firm will not be disqualified.
- If the firm lists someone who has not yet left UDOT employment, even if the employee plans to retire or quit soon, **the firm will be disqualified.**
- In addition, if a firm lists a UDOT employee who was involved in the development of the RLOI for this project, whether they are a current employee of UDOT or not, **the firm will be disqualified.**
- These requirements apply to prime and sub-consultants.

Required Availability of Key Personnel:

When Consultants list personnel on Appendix B *Proposed Key Personnel to be used on UDOT Project* form, the consultant is agreeing to make the personnel available to complete work on contracts at whatever level the project requires.

Required Streamlined LOI Contents:

The LOI from the Consultant should contain the information identified in Appendix A *Guidelines for Preparing the Letter of Interest*.

LOI Evaluation Procedures:

The RLOI Selection Team will evaluate the LOI in accordance with the criteria described in Appendix A *Guidelines for Preparing the Letter of Interest*.

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Conditions of Letter of Interest:

All costs related to the preparation of the LOI and any related activities such as interviews are the sole responsibility of the Consultant. UDOT assumes no liability for any costs incurred by Consultants throughout the entire selection process.

Disposition of Letters of Interest:

LOIs and their content become the property of UDOT and are treated as protected documents, and are disposed of according to UDOT policies. UDOT reserves the right to reject all LOIs. The LOI of the successful Consultant shall be open to public inspection for a period of one year after award of the contract. LOIs of Consultants who are not awarded contracts shall not be open to public inspection and will be destroyed once the contract is executed with another consultant.

If the Consultant selected for award has required in writing the nondisclosure of trade secrets and other proprietary data so identified, the Consultant Services Manager shall examine the request in the LOI to determine its validity prior to award of the contract. If the parties do not agree as to the disclosure of data in the contract, the Consultant Services Manager shall inform the Consultant in writing what portion of the LOI will be disclosed and that, unless the Consultant withdraws the LOI, it will be disclosed. If the Consultant withdraws their LOI, the Consultant will not be awarded the contract.

Ownership of Documents:

All tracings, plans, manuscripts, specifications, data, maps, etc. prepared or obtained by the Consultant as a result of working on this contract, shall be delivered to and become the property of the Department.

Financial Screening:

UDOT requires consultants to be Financially Screened prior to performing work for UDOT. The selected Consultant has two weeks after selection to complete the financial screening process. **Inability to complete the financial screening process will disqualify the Consultant's LOI, unless the delay is due to problems or delays by UDOT.**

The time it takes a Consultant to complete the Financial Screening process varies and therefore UDOT encourages Consultants to submit their *Financial Screening Application* as soon as possible.

Consultants may obtain the *Financial Screening Application* from the UDOT Web site www.udot.utah.gov/go/csforms. For questions, contact the Consultant Services Financial Screener at 801/965-4138. A Consultant's Financial Screening status is effective for the period of one year from the time the Consultant is approved.

Audits:

Prior to final contract award, an audit may be conducted by UDOT of the selected Consultant. This audit will be for the purpose of ensuring the selected firm is financially capable of performing the contract, the cost information and prices quoted are reasonable, and the selected Consultant has adequate accounting practices to ensure accurate tracking of contract costs. UDOT reserves the right to inspect Consultant records associated with

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this project, including financial records, as deemed necessary during the term of the contract.

Prior to final acceptance of the contract work, UDOT may conduct a closing audit of the Consultant. This closeout audit will be performed upon completion of the contract to verify the accuracy of all billings and compliance with the contract provisions.

In the event that a proposing Consultant has failed to pay UDOT monies due to UDOT for over payment on past projects, UDOT has the right to reject and/or disqualify the firm's LOI. Disqualification will be based on audit findings, determinations, and recommendations made by the UDOT Fiscal Audit Division.

Insurance Certificates:

The Consultant is required to provide UDOT with Certificates of Insurance meeting the current guidelines. Current insurance requirements can be found at www.udot.utah.gov/go/csmanuals.

Health Reform – Health Insurance Coverage in State Contracts Requirements:

As required by UCA 72-6-107.5, effective July 1, 2009, UDOT will not enter into a contract of \$1,500,000 or more with a prime Consultant or \$750,000 or more with a sub-consultant without demonstration of compliance regarding the offering of "Qualified Health Insurance Coverage" to their employees. Prior to issuing a Notice to Proceed, the Consultant must demonstrate compliance with the provisions of Administrative Rule R-916-5. A Consultant's inability to adequately demonstrate compliance may be grounds for determining a LOI non-responsive and UDOT moving on to negotiate with the new first-ranked responsive firm.

Subscription to the UDOT Consultant Services Update Service:

UDOT recommends Consultants interested in proposing a LOI subscribe to the UDOT Consultant Services Update Service on the UDOT Web site www.udot.utah.gov/go/subscriptionlist.

If there are any changes affecting the RLOI, notice will be sent out via an e-mail through the update service.

Consultant and/or Corporate Logos or Branding:

Consultant and/or corporate logos or branding identification may no longer be displayed in **public** documents or products produced for UDOT beginning July 1, 2005. It is UDOT's intent that consultants should place identifying information, in text format, in appropriate places in documents. This requirement does not apply to LOIs. For specific questions or further guidance, please contact Gaye Hettrick, Consultant Services Manager, 801/965-4639 or ghettrick@utah.gov.

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Consultants and/or corporations are specifically restricted from placing logos or branding on the following items:

- Plan Sheets or Title Blocks
- Environmental Documents
- Standard UDOT Forms
- Project Websites
- Cover Pages
- Headers/Footers; and
- Information and Display Boards for Public Meetings

Consultants are encouraged to place their company logos or brandings in the LOIs.

Conflict of Interest:

The engineer may not perform work for Hunt Electric, Sorenson Construction (SCI), Cache Valley Electric (CVE), or Hidden Peak Electric (HPE) while under contract as the Traffic Signal Engineer. This limitation may change if, in the future, the associated procurement contracts are awarded to a different pool of contractors.

The selected Traffic Signal Engineer may be conflicted out of some tasks that are contained in Appendix C, Scope of Work, on signal projects where their consulting firm is performing design services. As determined by the Traffic & Safety Design Engineer, tasks unable to be performed by the selected Traffic Signal Engineer may include design reviews and representing Traffic & Safety at PS&E meetings.

Consultants should acknowledge in their LOI that they can meet the requirements of the conflict of interest.

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Appendix A

Guidelines for Preparing the Letter of Interest

Introduction:

The LOI selection process is one of three project specific Consultant selection processes for UDOT to be used in the selection of Consultants for engineering services on a UDOT project. Submitting a LOI is the beginning of this selection process and is used as the basis for short-listing Consultants. Consultant interviews are necessary prior to selection; a minimum of at least two Consultants will be short-listed and invited to an interview by the RLOI Selection Team. The RLOI Selection Team determined Short-listing Criteria determined prior to advertisement of the RLOI and will share the criteria with proposing consultants as part of UDOT's normal debriefing process. Ranking is determined solely by the information presented during the Consultant interviews and any point deductions.

The purposed for these guidelines is to ensure consistency in format and content in the LOI prepared by Consultants and submitted to UDOT. Preparing a LOI instead of a detailed proposal reduces the time requirements for consultants and simplifies the review process for the RLOI Selection Team.

In order for Consultants to be short-listed, an understanding of the specific project and a strong project team must be presented in the LOI submitted in response to this RLOI.

Electronic Submission:

UDOT's goal is to migrate to electronic processes wherever possible. Consultant Services requires all LOI submissions be received solely by electronic means.

Letter of Interest:

The Letter should be addressed to:

Ms Raeleen Sanchez
Contract Administrator
UDOT Consultant Services
4501 South 2700 West
Salt Lake City, UT 84129-5998
raeleen@utah.gov

LOI Format Requirements:

In **two pages**, include the following information:

- Express your interest in the project and understanding of the work
- State qualifications to do the work
- Identify the Consultant Project Manager and other key team members
- Recount any information on the project team or yourself that may be useful or informative to the Department

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- Acknowledge intention to meet requirements of the conflict of interest statement.
- Include the mailing and e-mail addresses and the phone numbers (including office and cell numbers) of the primary contact person for this consultant selection process in the LOI.
- Do not include a cover page
- All pages are 8-1/2 X 11"
- Submit one PDF file (containing the LOI requirements in the order presented in this Appendix).

The LOI is expected to consist of the following in one PDF:

- Letter of Interest (two pages)
- *Project Experience Chart* (one page)
- Appendix B (no page limit)
- Disclosure Statement

LOIs exceeding the above pages and format or consisting of an inappropriate number of PDF file(s) will be considered non-responsive and will not be reviewed by the RLOI Selection Team and therefore will not be short-listed for Consultant Selection Interviews.

Disqualifications:

1. **Late Submission** – Any LOI received by Consultant Services after the 11:00 AM deadline.
2. **Do not send LOIs to RLOI Selection Team Members** – send LOIs to the contract administrator, not directly to any RLOI Selection Team members, see instructions on Page 2.
3. **Electronic PDF Submission** – Submit one PDF file (containing all of the LOI sections in the order presented in RLOI instructions on Page 11) to Raeleen Sanchez at raeleen@utah.gov.
4. **Cost Discussion** – Do not include any reference to costs in the LOI. Cost discussions are not allowed (other than cost control measures). Cost control measures should not be quantified in dollar amounts, but rather in how the process improved the project.
5. **Use of UDOT staff** – Use of current UDOT employees or former staff who were involved in the development of the RLOI. Refer to Required Key Personnel Qualification on Page 7 for more information.
6. **Financial Screening** – Consultants are required to complete the UDOT Financial Screening process within two weeks of selection. Refer to Financial Screening discussion on Page 8 for further details.
7. **Two (2) Page Maximum** – (Project Experience Table and Appendix B *Proposed Key Personnel to be Used on UDOT Project* do not count towards the page maximum.)

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A page is defined as a single-sided 8.5" x 11" sized sheet that contains text, pictures, tables, graphs, charts, plan sheets, or any other graphics.

Do not include a reference or link to additional information. If LOIs contain references or links, UDOT Consultant Services will assume additional pages are used.

8. **Other** – UDOT reserves the right to disqualify an LOI when the intent of the RLOI process is violated.

Any LOIs committing violations to the above requirements will be disqualified by Consultant Services and will not be reviewed by the RLOI Selection Team.

Requirements for Experience Table and References:

Provide a **one page** spreadsheet list of projects **completed** by key team members during the last five years. If projects were completed while in the employment of a previous employer, the table must indicate the firm under which the work was completed. The table must provide a description of the services completed by the employee. Spreadsheet column headings should include the following items. (See sample *Related Experience Chart* available on the UDOT Web site www.udot.utah.gov/go/csforms).

- Name of Key Team Member
- Key Team Member's firm (or former firm)
- Year
- Type of Project
- Project Name
- Project Location
- Project Description
- Construction Estimate Cost - \$Million
- Services Performed / Key Team Member's Specific Project Role
- Client
- Client Reference Contact and Telephone Number

Note: The completed table must be included in the LOI, but will not count as one of the allowed pages. Using this page for additional information for the LOI will result in disqualification by Consultant Services, therefore the RLOI Selection Team will not consider the LOI in the selection process.

Appendix B Proposed Key Personnel to be Used on UDOT Project :

The Consultant is expected to complete the Appendix B *Proposed Key Personnel to be used on UDOT Project*. Firms are not required to use this exact form, as long as all necessary information is included in a form presented in the LOI. The form must state the certification and education levels of the individuals proposed for use on this contract, including sub-consultants' personnel.

When Consultants list personnel on Appendix B *Proposed Key Personnel to be Used on UDOT Project* form, the Consultant is agreeing to make the personnel available to complete the services in the contract at whatever level the project requires.

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The completed form must be included in the LOI, but will not count as one of the allowed pages. No other information is allowed on these pages.

The information in this form should be included to provide technical details for all of the Consultant Project Team. This form may or may not be considered by the RLOI Selection Team in order to make a short-list for Consultant Selection Interviews.

Appendix B will not count as one of the allowed pages.

RLOI Selection Team:

RLOI Selection Team members will receive copies of each responsive LOI submitted. The RLOI Selection Team prepares short-listing criteria prior to the RLOI advertisement and will compare LOIs to the criteria in their individual review of the LOIs. Through consent as a Team they will short-list a minimum of at least two firms. Those Consultants making the short-list will be invited to participate in consultant selection interviews and will be given further instructions.

Consultant selection notification after consultant selection interviews will consist of the short-list criteria, strengths and weaknesses identified by the RLOI Selection Team in their LOI and the strengths identified in the highest-ranked firm's LOI. This debriefing information is distributed by UDOT to assist firms in improving their ability to be short-listed in future RLOI advertisements. See "Selection Interviews" below for topics regarding the short-listing criteria.

Short-Listing for Interviews:

The RLOI Selection Team will "short-list" for interviews depending on the number and quality of Consultant responses. The RLOI Selection Team will meet to determine which firms will interview by the "Consent" of the RLOI Selection Team. Consent is defined as the willingness of all RLOI Selection Team members to accept a decision reached by a collaborative process.

Selection Interviews:

The following project-specific topics will be discussed during consultant selection interviews:

- Understanding of the Work
- Approach to the Project
- Schedule Control
- Management of the Project

Selection of a consultant will be finalized through response to this RLOI and oral interviews.

The Department reserves the sole right, without incurring any liability, to change any aspect of the proposed procurement described above, including the right to not proceed with the procurement and/or the right to proceed in a different manner or on a different timeline than as described herein. **If there are any changes affecting the RLOI, notice will be sent out via an e-mail through the UDOT Consultant Services update service.**

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“Selecting by Consent” Process:

The interviews will be performed using “Selecting by Consent” (SBC) process developed by the Consultant Selection Interview Process Quality Improvement Team officially implemented August 12, 2004.

The SBC process is a scoring process that aids the RLOI Selection Team in developing the final ranking of consultants through a collaborative process. In this process each segment and question of the interview is weighted in advance during the RLOI Selection Team Preparation/Scoping Meeting. After the interviews are conducted, the RLOI Selection Team scores each segment and question by “consent”. Consent is defined as the willingness of all RLOI Selection Team members to accept a decision reached by a collaborative process. The final selection ranking of consultants is based on the final scores developed by the RLOI Selection Team using the *Consultant Selection Interview Scores Example* found on the UDOT web site www.udot.utah.gov/go/csforms. See the form for more information regarding this process.

Summary:

The LOI should be clear, concise, and it should provide the RLOI Selection Team Members with an understanding of the Consultant Team’s ability to undertake and complete the proposed project successfully in a thorough, efficient and timely manner.

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Rev. 6/10/2013

Appendix B

Proposed Key Personnel to Be Used On UDOT Project

Name	Firm Name	Title (Proposed on project)	Certification Category/Level	Utah License/ Certification No.	Other State License/ Certification No.	Education Level

- Include all key personnel who are proposed to work on UDOT project including sub-consultants. Add additional pages if needed.
- If a Consultant has a change in key personnel during a project, they are required to submit the proposed change in writing within 10 working days to the UDOT Project Manager (and Local Government, if applicable) for approval. If the Project Manager (PM) approves, the PM will forward the change and their approval to UDOT Consultant Services and the Comptroller's Office within 10 working days. If the PM does not approve, they may request a revision of the proposal, score the Consultant lower on the Consultant Project Evaluation, or terminate the contract.
- The Form and an example of the completed form along with further descriptions of the column headings are available on the UDOT Website www.udot.utah.gov/go/csforms.

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Appendix C

Scope of Work

Traffic Signal Engineer

The Traffic & Safety Division is seeking a licensed Professional Engineer with signal design experience to oversee and coordinate all aspects of the Signal Program construction process. Work directly with Region staff, signal contractors, and UDOT Resident Engineers to ensure projects are distributed properly, work is performed per standards, and time commitments are met as agreed upon. Work in Traffic & Safety, onsite at the Rampton Complex, 3-4 days per week reporting directly to the Traffic & Safety Design Engineer. Duration of this contract is up to 5 years; one year initially with optional renewals.

Duties include administering the following procurement contracts:

- Traffic Signal Installation – Three Contracts: Sorenson Construction (SCI); Cache Valley Electric (CVE); and Hidden Peak Electric (HPE).
- Traffic Signal Maintenance – Two Contracts: Hunt Electric; and CVE.

Work tasks include the following:

1. Arrange and schedule onsite warrant review meeting.
2. Draft field notes and recommendations into a final warrant review memo.
3. Update warranted signal list and submit bi-weekly updates for posting on UDOT website.
4. Act as the gate keeper (point of contact) tracking which contractor is available for next project.
5. Ensure the procurement contracts are administered correctly.
6. Prepare weekly project approval request listing.
7. Prepare weekly project status updates.
8. Review material needs with State Furnished Material Coordinator.
9. Schedule and hold onsite preconstruction meeting with selected Contractor.
10. Monitor and record Contractor performance using project tracking spreadsheet.
11. Forecast and monitor pending projects.
12. Process contractor payment requests at completion of accepted work.
13. Perform signal project plan reviews and provide review comments.
14. Participate in PS&E meetings on an as needed basis.
15. Draft and review procurement specifications.
16. Coordinate maintenance and construction needs with Region Signal Engineers; arrange for emergency repairs and re-construction of damaged signals.

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Appendix D

Additional Information

QC/QA Plan Requirements:

- The Consultant will prepare, distribute, and implement the Quality Control/Quality Assurance Plan for the project. UDOT has adopted QC/QA standards and the Consultant must meet or exceed these requirements. The Standard for Design is available on the UDOT Web site www.udot.utah.gov/go/qcqa
- Document Control: All documents will be maintained in both an electronic and hard copy form. Each document will have a uniquely specific location in both electronic and hard copy formats.

UDOT Reference Items:

- UDOT CADD use and information is available on-line from the UDOT web site at www.udot.utah.gov/go/ETS).
- UDOT Construction Manual of Instruction (available online at the UDOT Web site www.udot.utah.gov/go/Manuals).
- UDOT Consultant Services Manual of Instruction (available on-line at the UDOT Web site www.udot.utah.gov/go/CSManuals).
- UDOT Drainage Manual of Instruction (available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals).
- UDOT Environmental Process Manual of Instruction (available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals).
- Other UDOT manuals are available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals).
- UDOT ProjectWise use and information is available on-line from the UDOT web site at www.udot.utah.gov/go/ETS).
- UDOT Reference Material (available on-line from the UDOT Web site at www.udot.utah.gov/go/StandardsReferences).
- UDOT Right of Way Design and Operations Manuals (available on-line from the UDOT Web site at www.udot.utah.gov/go/Manuals).

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- UDOT Roadway Design Manual of Instruction (available on-line from the UDOT web site at www.udot.utah.gov/go/Manuals).
- UDOT Standards (available on-line from the UDOT Web site at www.udot.utah.gov/go/2012Standards).
- UDOT Traffic and Safety Highway Sign Policies and Manuals are available on-line from the UDOT web site at www.udot.utah.gov/go/HighwaySignPolicy).
- UDOT 2013 Strategic Direction & Performance Measures (available on-line from the UDOT web site at www.udot.utah.gov/go/StrategicDirection).
- State of Utah Web Standards and Guidelines are available on-line from the web site at <http://www.utahta.wikispaces.net/Application+Architecture>).

UTAH DEPARTMENT OF TRANSPORTATION
Request for Letter of Interest
8374XDL1147 & Traffic Signal Engineer Support Staff

The Brooks Act of 1972:

Federal Government Selection of Architects and Engineers

United States Code (U.S.C.) Title 40 - Public Buildings, Property and Works

Chapter 11, Section 1101 - 1104: Selection of Architects and Engineers

§ 1101. Policy (Formerly 40 U.S.C. § 541)

The policy [of the Federal Government] is to publicly announce all requirements for architectural and engineering services and to negotiate contracts for architectural and engineering services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

§ 1102. Definitions (Formerly 40 U.S.C. § 542)

In this chapter, the following definitions apply:

1. **Agency head.**- - The term "agency head" means the head of a department, agency, or bureau [of the Federal Government].
2. **Architectural and engineering services.**- - The term "architectural and engineering services" means- -
 - A. professional services of an architectural or engineering nature, as defined by state law, if applicable, that are required to be performed or approved by a person licensed, registered, or certified to provide the services described in this paragraph;
 - B. professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and
 - C. other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.
3. **Firm.**- - The term "firm" means an individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice the profession of architecture or engineering.

§ 1103. Selection procedure (Formerly 40 U.S.C. § 543)

- a. **In general.**- - These procedures apply to the procurement of architectural and engineering services by an agency head.
- b. **Annual statements.**- - The agency head shall encourage firms to submit annually a statement of qualifications and performance data.
- c. **Evaluation.**- - For each proposed project, the agency head shall evaluate current statements of qualifications and performance data on file with the agency, together with statements submitted by other firms regarding the proposed project. The agency head shall conduct discussions with at least 3 firms to consider anticipated concepts and compare alternative methods for furnishing services.
- d. **Selection.**- - From the firms with which discussions have been conducted, the agency head shall select, in order of preference, at least 3 firms that the agency head considers most highly qualified to provide the services required. Selection shall be based on criteria established and published by the agency head.

§ 1104. Negotiation of contract (Formerly 40 U.S.C. § 544)

- a. **In general.**- - The agency head shall negotiate a contract for architectural and engineering services at compensation which the agency head determines is fair and reasonable to the Federal Government. In determining fair and reasonable compensation, the agency head shall consider the scope, complexity, professional nature, and estimated value of the services to be rendered.
- b. **Order of negotiation.**- - The agency head shall attempt to negotiate a contract, as provided in subsection (a), with the most highly qualified firm selected under [section 1103](#) of this title. If the agency head is unable to negotiate a satisfactory contract with the firm, the agency head shall formally terminate negotiations and then undertake negotiations with the next most qualified of the selected firms, continuing the process until an agreement is reached. If the agency head is unable to negotiate a satisfactory contract with any of the selected firms, the agency head shall select additional firms in order of their competence and qualification and continue negotiations in accordance with this section until an agreement is reached.